

SIXTY-SIXTH DAY

(Wednesday, May 7, 1969)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

(Senator Word in the Chair.)

Bills and Resolution Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S. B. No. 479, A bill to be entitled "An Act relating to sales and labeling of agriculture and vegetable seeds; etc.; and declaring an emergency."

S. B. No. 666, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas System to acquire by purchase, exchange, gift, or otherwise, certain properties, to sell, exchange, give, or otherwise convey those properties to the Texas Department of Mental Health and Mental Retardation, and to acquire from the Texas Department of Mental Health and Mental Retardation by purchase, exchange, gift, or otherwise certain other properties; etc., and declaring an emergency."

S. B. No. 168, A bill to be entitled "An Act validating the election held in Harris County Water Control and Improvement District No. 56, on May 28, 1968, concerning bonds voted at an election held therein on March 27, 1956; containing other provisions relating to the subject; and declaring an emergency."

(Again signed)

S. B. No. 179, A bill to be entitled "An Act providing for the sale by the State to the City of Port Arthur, Texas, a tract of land in Jefferson County, Texas, known as H. B. No. 541, Chapter 219, Acts of the 54th Regular Session, 1955, and amending the Act by repealing Section 7 thereof; and declaring an emergency.

S. C. R. No. 70, Authorizing Senate Enrolling Clerk to make certain corrections in S. B. No. 26.

Reports of Standing Committee

Senator Herring submitted the following reports:

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 386, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

HERRING, Chairman.

C. S. S. B. No. 386 was read the first time.

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 779, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 405, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HERRING, Chairman.

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 339, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 218, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

HERRING, Chairman.

C. S. S. B. No. 218 was read the first time.

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 697, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

HERRING, Chairman.

C. S. S. B. No. 697 was read the first time.

Messages From the Governor

The following messages received from the Governor were read and were referred to the Committee on Nominations:

Austin, Texas,
May 7, 1969.

To the Senate of the Sixty-first Legislature:

On April 15, 1969, I submitted the name of Emerson Emory, M.D., of Dallas, Dallas County, for appointment to the Texas Board of Mental Health and Mental Retardation, to replace Raleigh R. White, M.D., of Temple, Bell County.

I hereby respectfully request your consent to withdraw the name of Doctor Emory for appointment to the Board of Mental Health and Mental Retardation.

I fully realize that Doctor Emory is a capable and qualified person and that he would be a great contribution to the Mental Health and Mental Retardation Board; but I, as Governor of this State, solemnly swore to uphold the Constitution and laws of this State. I do so now in requesting your consent to withdraw the name of Doctor Emory for the following reasons:

1. Under an interagency contract between The University of Texas Southwestern Medical School and Terrell State Hospital, the medical school provides to the hospital professional, psychiatric and other mental health consultants for which reimbursement is made out of appropriations to the hospital. From the amount paid to the medical school as reimbursement for these services, Doctor Emory, a psychiatric resident at the medical school, receives a stipend in the amount of \$12,000.00 per annum.

2. Doctor Emory has agreed, in consideration of the training received at the Terrell State Hospital and the stipend underwritten out of appropriations to the Terrell State Hospital, to accept employment as a staff physician at the Terrell State Hospital for a two year period upon completion of this residency.

3. It is felt that Doctor Emory's current connection with the Terrell State Hospital and his agreement to accept employment as a staff physician at the Terrell State Hospital for a two year period upon completion of his training would preclude his appointment and confirmation to the Texas Board of Mental Health and Mental Retardation. His duties as an employee of an institution under the direction of the Board of Mental Health and Mental Retardation might conflict with his duties as a member of the Board of Mental Health and

Mental Retardation contrary to the policy and standards of conduct required of officers and employees of state agencies under Article 6252-9, Revised Civil Statutes.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas.

Austin, Texas,
May 7, 1969.

To the Senate of the Sixty-first Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be Branch Pilots on the Houston Ship Channel and Galveston Bar for the Port of Houston: For two-year terms to expire April 26, 1971: Captain Earl Clinton Goodwin of Huffman, Harris County; Captain Robert Daniel Bennett of Houston, Harris County.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas.

Nomination Returned to Governor

On motion of Senator Blanchard, and by unanimous consent, the nomination of Emerson Emory, M.D. to be a Member of the Texas Board of Mental Health and Mental Retardation was returned to the Governor in compliance with the Governor's request.

Senate Bill 806 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Wilson:

S. B. No. 806, A bill to be entitled "An Act authorizing the Commission for Indian Affairs, in addition to its other powers and authority, to accept or acquire lands, easements and other properties by gifts, grants, and otherwise, for the purpose of preserving and using historic sites and related properties within the county in which an Indian Reservation is located, and to develop same as tourist attractions; granting authority to the Commission to issue revenue bonds and other evidences of indebtedness for such purposes payable solely from revenues and without creating a debt against the State; providing for pledge of such revenue income and properties to secure the payment of revenue

bonds and other evidences of indebtedness; authorizing the Commission to lease or grant concessions with respect to the operations of such properties; providing for the disbursement and use of profits therefrom; providing a severance clause; and declaring an emergency."

To the Committee on State Departments and Institutions.

House Bill 541 on Second Reading

On motion of Senator Ratliff, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 541, A bill to be entitled "An Act amending Section 1, Article 26.05, Texas Code Criminal Procedure, 1965, so as to provide compensation from county funds for court-appointed counsel in habeas corpus hearings; and declaring an emergency."

The bill was read second time.

On motion of Senator Ratliff, and by unanimous consent, further consideration of H. B. No. 541 was temporarily postponed.

Question--Shall H. B. No. 541 be passed to third reading?

House Bill 685 on Second Reading

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 685, A bill to be entitled "An Act amending Article 3921 of the Revised Civil Statutes of Texas, 1925, as heretofore amended, pertaining to certain fees to be charged and received by the Banking Commissioner; and declaring an emergency."

The bill was read second time.

Senator Brooks offered the following Committee Amendment to the bill:

Amend Section 1 of House Bill Number 685 by striking the words, "Fifty Dollars (\$50)," in the second sentence of the quoted Article 3921 and substituting in lieu thereof the words, "One Hundred-Fifty Dollars (\$150)."

The Committee Amendment was read and was adopted.

On motion of Senator Brooks, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 685 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 685 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Reports of Standing Committee

Senator Creighton, by unanimous consent, submitted the following reports:

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1284, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1283, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1282, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1281, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 979, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 971, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

House Bill 41 on Second Reading

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 41, A bill to be entitled "An Act relating to the compensation to which firemen and policemen in certain cities are entitled; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 41 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 41 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Grover
Bates	Hall
Bernal	Harrington
Berry	Harris
Blanchard	Hazlewood
Bridges	Herring
Brooks	Hightower
Christie	Jordan
Cole	Kennard
Connally	Mauzy
Creighton	McKool

Moore	Strong
Patman	Watson
Ratliff	Wilson
Schwartz	Word
Snelson	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 1256 on Second Reading

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1256, A bill to be entitled "An Act creating and establishing a Conservation and Reclamation District under and essential to the purposes of Article 16, Section 59, of the Constitution of Texas, to be known as "Harris County Utility District No. 2"; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1256 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1256 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

House Bill 103 on Second Reading

On motion of Senator Bernal, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 103, A bill to be entitled "An Act requiring that English shall be the basic language of instruction in all grade schools; providing the governing body of the school district or school may determine when, in which grades or classes, and circumstances, instruction may be given bilingually; declaring state policy on bilingual instruction; etc., and declaring an emergency."

The bill was read second time.

Senator Bernal offered the following amendment to the bill:

Amend House Bill No. 103 by striking all below the enacting clause and substituting the following:

Section 1. English shall be the basic language of instruction in all schools. The governing board of any school district and any private or parochial school may determine when, in which grades, and under what circumstances instruction may be given bilingually.

Sec. 2. It is the policy of this state to insure the mastery of English by all pupils in the schools; provided that bilingual instruction may be offered or permitted in those situations when such instruction is educationally

advantageous to the pupils. Such bilingual instruction may not be offered or permitted above the sixth grade without the express approval by the Texas Education Agency, which approval shall be granted on a three-year basis subject to reapproval at the end of that time.

Sec. 3. Subdivision 1, Article 2893, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 504, Acts of the 59th Legislature, Regular Session, 1965, is hereby amended to read as follows:

"Article 2893. Exemptions.

"The following classes of children are exempt from the requirements of this law:

"1. Any child in attendance upon a private or parochial school which shall include in its course a study of good citizenship.

"2. Any child whose bodily or mental condition is such as to render attendance inadvisable, and who holds definite certificate of a reputable physician specifying this condition and covering the period of absence.

"3. Any child who is blind, dumb or feeble-minded, for the instruction of whom no adequate provision has been made by the school district.

"4. Any child living more than two and one-half miles by direct and traveled road from the nearest public school supported for the children of the same race and color of such child and with no free transportation provided.

"5. Any child more than seventeen (17) years of age who has satisfactorily completed the work of the ninth grade, and whose services are needed in support of a parent or other person standing in parental relationship to the child, may, on presentation of proper evidence to the county superintendent, be exempted from further attendance at school."

Sec. 4. Article 288, Penal Code of Texas, 1925, as amended by Chapter 125, Acts of the 43rd Legislature, Regular Session, 1933, and Article 298, Penal Code of Texas, 1925, are hereby repealed.

Sec. 5. The fact that instruction in the earlier years which includes the use of language the child understands makes learning easier; and the further fact that in this highly technical and scientific world where transportation and communication have liter-

ally reduced the size of the world, knowledge of languages and understandings of other peoples and where in this hemisphere Spanish is spoken by as many people as speak English, a second language becomes vitally important, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended; and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

On motion of Senator Bernal, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 103 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Bates
-------	-------

Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word
Herring	

Co-Author of Senate Bill 218

On motion of Senator Herring, and by unanimous consent, Senator Wilson will be shown as Co-author of S. B. No. 218.

House Bill 971 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent H. B. No. 971 was ordered not printed.

House Bill 1281 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent H. B. No. 1281 was ordered not printed.

House Bill 1282 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent H. B. No. 1282 was ordered not printed.

House Bill 1283 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent H. B. No. 1283 was ordered not printed.

House Bill 1284 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent H. B. No. 1284 was ordered not printed.

Reports of Standing Committees

Senator Hall, by unanimous consent, submitted the following report:

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred S. B. No. 728, have had the same under consideration, and we are instructed to report it back to the Senate with the recom-

mentation that it do pass and be printed.

HALL, Chairman
CONNALLY
WORD

Senator Brooks, by unanimous consent, submitted the following report:

Austin, Texas,
May 6, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Departments and Institutions to which was referred H. B. No. 528, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BROOKS, Chairman
BERNAL
McKOOL
PATMAN
WILSON
HERRING
AIKIN

Senator Hall, by unanimous consent, submitted the following report:

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 695, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD

Senator Harrington, by unanimous consent, submitted the following report:

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Interstate Cooperation to which was referred H. B. No. 423, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARRINGTON, Chairman
MOORE
BERNAL
MAUZY
BLANCHARD

Senator Connally, by unanimous consent, submitted the following report:

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Parks and Wildlife to which was referred H. B. No. 595, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CONNALLY, Chairman
BLANCHARD

Senator Hall, by unanimous consent, submitted the following report:

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 434, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD

Senator Creighton, by unanimous consent, submitted the following report:

Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred H. B. No. 1260, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

House Bill 49 on Second Reading

On motion of Senator Patman, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 49, A bill to be entitled "An Act relating to the regulation and licensing by the State Department of Health of persons and plants

engaged in the picking, pasteurization, storage, transportation, and sale of certain crab meat; providing criminal penalties and injunctive remedies; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 49 on Third Reading

Senator Patman moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Senate Bill 728 Ordered Not Printed

On motion of Senator Hall, and by unanimous consent, S. B. No. 728 was ordered not printed.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 7, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

All necessary rules suspended, and the House concurred in Senate amendments to H. C. R. 101 by a non-record vote.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 292 by a non-record vote.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 957 on Second Reading

On motion of Senator Moore, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 957, A bill to be entitled "An Act to make it unlawful for any person to fish or to take fish from any fish farm without the consent of the owner; to provide a penalty for the violation of this Act; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 957 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 957 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Connally
Bates	Creighton
Bernal	Grover
Berry	Hall
Blanchard	Harrington
Bridges	Harris
Brooks	Hazlewood
Christie	Herring
Cole	Hightower

Jordan	Schwartz
Kennard	Snelson
Mauzy	Strong
McKool	Watson
Moore	Wilson
Patman	Word
Ratliff	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Nays—1

Brooks

House Bill 696 on Second Reading

On motion of Senator Moore, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 696, A bill to be entitled "An Act relating to hunting quail in Leon County; amending Section 1, Chapter 236, Acts of the 60th Legislature, Regular Session, 1967; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 696 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 696 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 695 Ordered Not Printed

On motion of Senator Moore, and by unanimous consent, H. B. No. 695 was ordered not printed.

House Bill 695 on Second Reading

On motion of Senator Moore, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 695, A bill to be entitled "An Act providing for the conveyance of certain land by the Texas Youth Council to the Houston County Development Foundation; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 695 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rules 30 and 36 requiring bills to be read on three several days be suspended and that H. B. No. 695 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Berry
Bates	Blanchard
Bernal	Bridges

Brooks	Kennard
Christie	Mauzy
Cole	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word
Jordan	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

House Bill 1313 on Second Reading

On motion of Senator Moore, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1313, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "Cape Royale Utility District"; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1313 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1313 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 1012 on Second Reading

On motion of Senator Aikin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1012, A bill to be entitled "An Act authorizing any district or authority created pursuant to Article XVI, Section 59, of the Constitution of Texas, and any corporation formed pursuant to Article 1434a, V.A.T.C.S. to contract with any other such district, authority or corporation for the purpose of supplying water to such other district, authority or corporation; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1012 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1012 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

House Bill 971 on Second Reading

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 971, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "Cedar Bayou Park Utility District"; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

(President in the Chair.)

House Bill 971 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rules 30 and 36 requiring bills to be read on three several days be suspended and that H. B. No. 971 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

House Bill 595 Ordered Not Printed

On motion of Senator Moore and by unanimous consent H. B. No. 595 was ordered not printed.

House Bill 595 on Second Reading

On motion of Senator Moore, and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 595, A bill to be entitled "An Act including Lee County under the provisions of the Uniform Wildlife Regulatory Act; amending Section 1 of the Uniform Wildlife Regulatory Act (Article 978j-1, Vernon's Texas Penal Code); and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 595 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rules 30 and 36 requiring bills to be read on three several days be suspended and that H. B. No. 595 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 1281 on Second Reading

On motion of Senator Brooks, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1281, A bill to be entitled "An Act amending Section 18 of Acts 1965, 59th Legislature, Chapter 619,

as amended (codified as Article 8280-331, V.T.C.S.), to provide for the sale of bonds by Briarwick Improvement District at a price not less than that provided by law; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1281 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rules 30 and 36 requiring bills to be read on three several days be suspended and that H. B. No. 1281 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Senate Concurrent Resolution 75

Senator Hall offered the following resolution:

S. C. R. No. 75, Permitting consideration of Local and Uncontested Calendars on any day.

BE IT RESOLVED by the Senate of the 61st Legislature, the House of Representatives concurring, That the Rules of each House be suspended in order to permit the consideration of Local and Uncontested Calendars on any day containing House or Senate Bills and House or Senate Resolutions.

The resolution was read.

On motion of Senator Hall, and by unanimous consent, the resolution was considered immediately and was adopted by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 552, A bill to be entitled "An Act relating to the creation of the Jackson County County-Wide Drainage District as a conservation and reclamation district in Jackson County, Texas, under the provisions of Article XVI, Section 59, of the Texas Constitution; etc., and declaring an emergency."

House Bill 187 on Second Reading

On motion of Senator Harrington, and by unanimous consent, the regular order of business was suspended to take up for consideration at this

time on its second reading and passage to third reading:

H. B. No. 187, A bill to be entitled "An Act relating to the payment of firemen and policemen who are required to appear in court as witnesses on their time off; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 187 on Third Reading

Senator Harrington moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 187 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Hazlewood	Word

Nays—3

Blanchard	Ratliff
Harris	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 166 on Second Reading

Senator Blanchard asked unanimous consent to suspend the regular order of business and take up S. B. No. 166 for consideration at this time.

There was objection.

Senator Blanchard then moved to suspend the regular order of business and take up H. B. No. 166 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	McKool
Blanchard	Moore
Bridges	Ratliff
Brooks	Schwartz
Christie	Snelson
Cole	Strong
Creighton	Watson
Hall	Wilson
Harris	Word
Hazlewood	

Nays—4

Grover	Mauzy
Harrington	Patman

Absent

Connally	Kennard
----------	---------

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 166, A bill to be entitled "An Act relating to the continuance of suits, proceedings ancillary or preliminary to suits, or matters of probate when a party or attorney of a party to the cause is a Member of the Legislature; amending Section 1, Chapter 7, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 2168a, Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read second time.

Question—Shall H. B. No. 166 be passed to third reading?

House Bill 1260 Ordered Not Printed

On motion of Senator Schwartz, and by unanimous consent, H. B. No. 1260 was ordered not printed.

Memorial Resolution

S. B. No. 725—By Senator Mauzy: Memorial resolution for Lieutenant Stamatios Gus Alexander, Jr.

Welcome and Congratulatory Resolutions

S. R. No. 726—By Senator Herring: Extending welcome to sponsor and students of Pearce Junior High School.

S. R. No. 727—By Senator Watson: Extending welcome to Mrs. Marilyn Hoster et al. of Belton.

S. R. No. 728—By Senator Watson: Extending welcome to Jesse Derrick of Waco.

S. R. No. 729—By Senator Watson: Extending welcome to Jim Shannon of Waco.

S. R. No. 730—By Senator McKool: Commending the Casa View Christian Church on its pilot program for the Youth Guidance Commission.

S. R. No. 731—By Senator McKool: Endorsing the program TACT.

Recess

On motion of Senator Word the Senate at 11:50 o'clock a.m. took recess until 9:00 o'clock a.m. tomorrow.

APPENDIX**Sent to Governor**

May 7, 1969

S. B. No. 479
S. B. No. 666
S. B. No. 168
S. B. No. 179
S. B. No. 552
S. C. R. No. 70

SIXTY-SIXTH DAY

(Continued)

(Thursday, May 8, 1969)

After Recess

The Senate met at 9:00 o'clock a.m., and was called to order by Senator Hall.

Local and Uncontested Bills Session

The Presiding Officer announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with a motion previously adopted by the Senate.

Senate Bill 600 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 600, A bill to be entitled "An Act making it unlawful for a person whose insurance agent's license